

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

*

VS.

*

Criminal H 17-65

*

ANDREW CRAIG SUSTAITA

*

Judge Sim Lake

**DEFENDANTS' UNOPPOSED MOTION FOR CONTINUANCE OF TRIAL
AND REQUEST FOR A NEW DOCKET CONTROL ORDER**

Defendant Andrew Craig Sustaita, Defendant, requests the Court to continue the trial setting of March 27, 2017 and to issue a new docket control order for the following reasons:

1. Counsel for defendant is not prepared to proceed to trial. The Defendant was arrested on February 9, 2017. Counsel picked up discovery on February 15, 2017, but as this is a child pornography charge, there is a large amount of computer data that the government cannot release and must be inspected in person by counsel. That has not occurred yet.

2. Counsel for Defendant requests additional time in which to conduct discovery, prepare meaningful pretrial motions and to prepare for trial.

3. This is Defendant's first motion for continuance.

4. This motion is unopposed by AUSA Sherri Zack.

5. Defendant waives his Speedy Trial rights.

5. This motion is not sought for purposes of delay, but so that justice may be done.

Therefore, Defendant requests that this Court continue this matter from its current trial setting of March 27, 2017 and request that the Court issue a new docket control order.

Respectfully submitted,

/s/ Nathan Hennigan

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CERTIFICATE OF CONFERENCE

The motion is unopposed by AUSA Sherri Zack as per our email communication of February 15, 2017.

/s/ Nathan Hennigan

Nathan Hennigan

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing motion has been forwarded to all counsel of record by the SDTX ECF system on this 15 day of February, 2017.

/s/ Nathan Hennigan

Nathan Hennigan